

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

BRIAN JOSEPH MCCARTHY,

Petitioner,

Case No. 2:17-CV-126

v.

HON. GORDON J. QUIST

MITCH PERRY,

Respondent.

ORDER ADOPTING
REPORT AND RECOMMENDATION

The Court has reviewed Magistrate Judge Timothy P. Greeley's December 3, 2018, Report and Recommendation recommending that Petitioner's petition for writ of habeas corpus be denied and that the Court deny Petitioner a certificate of appealability. The Report and Recommendation was duly served on Petitioner on December 4, 2018. No objections have been filed pursuant to 28 U.S.C. § 636(b). Therefore the Court will adopt the Report and Recommendation.

THEREFORE, IT IS HEREBY ORDERED that the December 3, 2018, Report and Recommendation (ECF No. 7) is approved and adopted as the Opinion of the Court, and Petitioner's habeas petition (ECF No. 1) is **DENIED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

A separate judgment will enter.

This case is **concluded**.

Dated: January 10, 2019

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE